

Application Serial No.: 10/561,226
Amendment filed: May 18, 2009

REMARKS

Claims 1-11 have been amended. All of the amendments are fully supported by the original disclosure of this application (in at least the original claims and Figures 2, 6, 8, 9, 11, 13 and 15) and therefore do not constitute the introduction of any new matter into this application.

Claims 1-11 remain pending upon entry of the amendments, with claim 1 being independent.

The specification has been amended to correct grammar. No new matter has been entered.

Rejection of claim 2 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the enablement requirement

Applicants respectfully traverse this rejection.

Claim 2 recites that the magnetic body of the first magnetic body module has a plurality, in both ends thereof, which exerts a drawing force in relation to the magnetic body of the second magnetic body module and another polarity, in the central portion thereof, which exerts a repulsive force in relation to the magnetic body of the second magnetic body module.

Thus, the first magnetic body comprises a pair of end portions and a central portion there between, as exemplified by elements 235a and 235b, in Figure 2. The first magnetic body thus is segmented, as above, and there is no "third polarity", as

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alleged in the office action. In view of the remarks above, withdrawal of this rejection is requested.

Rejection of claim 3 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite

The Examiner objected to the limitation "the base plate". Accordingly, claim 3 has been amended to recite "the first base plate", in order to provide proper antecedent basis. In view of the amendment to claim 3, withdrawal of this rejection is requested.

Rejection of claims 1 and 2 under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. 6,980,840 (Kim et al.)

Applicants respectfully traverse this rejection.

Independent claim 1 as amended recites, in part, the following:

wherein the second magnetic body faces a portion of the first magnetic body when the main body is opened and the second magnetic body faces another portion of the first magnetic body when the main body is closed, and wherein the sub-body slides on the main body by a drawing force exerted between the second magnetic body and one of the portions of the first magnetic body.

The Examiner will note that the reference to Kim et al. teaches a coil spring that is installed on a pinion for generating a rotational force and the rotational force is converted to a driving force by means of a rack for sliding movement for a drawer

cover 20 (see Figures 8 and 10).

In contrast, the driving force of an exemplary embodiment of the present application is generated by the interaction of magnetic forces between two magnetic bodies, wherein the second magnetic body faces a portion of the first magnetic body when the main body is opened and the second magnetic body faces another portion of the first magnetic body when the main body is closed, and wherein the sub-body slides on the main body by a drawing force exerted between the second magnetic body and one of the portions of the first magnetic body.

Further, the magnets 70, 74 of the reference to Kim et al. are only used to keep and maintain body 10 closed, and the driving force of Kim et al. is generated by a volute spring 32. The reference to Kim et al. recites that "thanks to the repulsive magnetic force, the binding state of the drawer cover 20 is released, so that the drawer cover 20 is opened to the repulsive rotational force of the volute spring 322" (column 9, lines 5-8).

Therefore, the reference to Kim et al. fails to teach all of the elements of independent claim 1. Withdrawal of the rejection of claim 1 is requested, as well as the rejection of claim 2, which depends from claim 1.

Rejection of claims 3 and 4 under 35 U.S.C. § 103 as allegedly being unpatentable over Kim et al. in view of U.S. 2002/0137476 A1 (Shin)

Applicants respectfully traverse this rejection.

With regard to claim 3, the Examiner acknowledged that the reference to Kim

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et al. does not teach a first base plate, as claimed and therefore fails to disclose that the first magnetic body module has a first base plate fastened on the rear surface of the sub-body, a pair of sliding guide fastened on a surface of the base plate and extended along the longitudinal direction of the first base plate, and the magnetic body fastened on a surface of the first base plate. The reference to Shin has been cited by the Examiner for the sole purpose of allegedly teaching the elements mentioned above.

The reference to Shin does not cure the deficiencies of the base reference to Kim et al., since even if the base reference to Kim et al. were modified according to Shin in the manner suggested by the Examiner, the resulting device will not teach all of the elements of independent claim 1, from which claims 3 and 4 depend. Hence, withdrawal of this rejection is requested.

Rejection of claims 5-8 under 35 U.S.C. § 103 as allegedly being unpatentable over Kim in view of U.S. 5,956,625 (Hansen et al.)

Applicants respectfully traverse this rejection.

With regard to claims 5-8, the Examiner acknowledged that the reference to Kim et al., does not teach that the first magnetic body modules include three pairs of N. and S. holds alternated along the longitudinal direction thereof and the second magnetic body module includes S. and N. poles so that the sub-body can be stopped in first, second and third positions as it slides on the main body.

The Examiner cited the reference to Hansen for the sole purpose of alleging that "the reference to Hansen discloses a mobile phone device with a slide-type sub-

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body (i.e. cover,) and a main-body, having three positional states between the sub-body and the main-body (Figures 1-3 of Hansen), wherein different regions of the main-body are exposed for user operation (column 3, lines 26-45)". The Examiner further alleged that it would be obvious for one skilled in the art to modify the device of Kim et al., which has ordinary magnets having typical North-South magnetic fields, can be modified to have at least three positions on the sliding movement.

Even if Hansen were to disclose that which is alleged, Hansen does not cure the deficiencies of Kim et al., with regard to independent claim 1, from which claim 5-8 depends.

Further, is not clear how the reference to Hansen teaches segmenting the magnet 70 of Kim into at least three pieces to create the attractive forces that are required in the particular embodiment of the device of the present application, absent Applicants' disclosure, as exemplified in at least Figure 9 of the present application. Although there may be at least three sliding positions in the device of Hansen, the positions are held via frictional means which add to the noise of the sliding movement, as well as early wear, and suffer from all the deficiencies of the prior art as disclosed in the background section of the present application.

Withdrawal of the rejection of claim 5 is requested, as well as that of claims 6-8, which depend from claim 5.

Rejection of claim 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kim in view of U.S. 6,947,777 (Crum)

Applicants respectfully traverse this rejection.

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With regard to claim 9, the Examiner acknowledged that the base reference to Kim et al. does not teach that the first and second magnetic body modules are provided with shield members so that the magnetic force from the magnetic bodies, which are fastened thereon, cannot be discharged out of the driving apparatus.

The Examiner has cited the reference to Crum for the sole purpose of alleging that all of the elements mentioned in claim 9, are taught by this reference. However, the reference to Crum does not cure the deficiencies of Kim et al., with regard to independent claim 1, from which claim 9 depends. Hence, withdrawal of this rejection is requested.

Rejection of claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Kim in view of Crum and Shin

Applicants respectfully traverse this rejection.

The Examiner acknowledged that the reference to Kim et al. as modified by Crum does not teach the limitations of claim 10. The Examiner has cited the reference to Shin for the sole purpose of allegedly teaching the elements of claim 10. However, it is noted that Shin does not cure the deficiencies of Kim et al. and Crum, with regard to independent claim 1, from which claim 10 depends. Hence, withdrawal of this rejection is requested.

Rejection of claim 11under 35 U.S.C. § 103(a) as being unpatentable over Kim in view of Crum and U.S. 6,136,131 (Sosnowski)

Applicants respectfully traverse this rejection.

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The Examiner acknowledged that the combination of Kim et al. and Crum fails to disclose the limitations of claim 11. The reference to Sosnowski has been cited by the Examiner for the sole purpose of teaching the elements of claim 11, as alleged. In this regard, even if Sosnowski were to teach the elements disclosed in claim 11, Sosnowski does not cure the deficiencies of Kim et al. as modified by Crum, with regard to independent claim 1, from which claim 11 depends. Hence, withdrawal of this rejection is requested.

Conclusion

In view of the above, it is believed that the above-identified application is in condition for allowance, and notice to that effect is respectfully requested. Should the Examiner have any questions, the Examiner is encouraged to contact the undersigned at the telephone number indicated below.

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The Commissioner is authorized to charge any fees or credit any overpayments which may be incurred in connection with this paper to Deposit Account No. 18-2220.

Respectfully submitted,

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